IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.676 of 2007
RAMANUJ SINGH
Versus
STATE OF BIHAR
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3 12.9.2008 This revision application has been filed against the order dated 7.4.2007 p[assed by Sri Ratan Kumar, Judicial Magistrate, 1st Class, Aurangabad in G.R.No.546 of 2003/ 445 of 2007 thereby the petition for discharge filed by the petitioner has been rejected.

Heard learned counsel for the parties.

Submission of learned counsel for the petitioner is that the petitioner has been falsely implicated in this case. Subsequent to filing of first information report the Block Development Officer himself inquired into the matter and found no hand of the petitioner in misappropriation of any fund of old age pension. It is further submitted that the old age pension was being paid to one Fulwa Devi in the name of Jaswati Devi since 1999 on verification of one Satyendra Paswan. Only Rs.2700/- was paid to Fulwa Devi on identification of Satyendera Paswan which has already been deposited by the Panchayat Sewak.

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Learned counsel for the State , after going through the entire case diary, submitted that the evidence is against Ravindra Singh, Satyendra Paswan, Mukhis and Fulwa Devi, who in collusion with each other misappropriated the amount of old age pension in the name of Jaswati Devi .

Thus, having regard to the facts and circumstances of the case as well as the materials available in the case diary as also the

report of the Block Development Officer (Aannexure-3), this application is allowed and the impugned order dated 7.4.2007 is hereby set aside but in respect of the petitioner only.

B.Jha **(Ghanshyam Prasad)**

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